

AMENDED, 12 U.S.C. § 1730A(M) OR 12 U.S.C. § 1823(F),
RESPECTIVELY;

(II) A BANK HAVING BANKING OFFICES IN A JURISDICTION OTHER THAN WITHIN THE REGION OR, ON OR AFTER JULY 17, 1989, OTHER THAN WITHIN A JURISDICTION PERMITTING A MARYLAND BANK HOLDING COMPANY TO ACQUIRE A BANK OR BANK HOLDING COMPANY IN THAT JURISDICTION ON A RECIPROCAL BASIS, IS ACQUIRED IN THE REGULAR COURSE OF SECURING OR COLLECTING A DEBT PREVIOUSLY CONTRACTED IN GOOD FAITH, AS PROVIDED IN SECTION 3(A) OF THE FEDERAL BANK HOLDING COMPANY ACT OF 1956, AS AMENDED, 12 U.S.C. § 1842(A), AND THE BANK OR BANK HOLDING COMPANY DIVESTS THE SECURITIES OR ASSETS ACQUIRED WITHIN 2 YEARS OF THE DATE OF ACQUISITION;

(III) AN INSTITUTION IS ACQUIRED THAT IS:

1. A BANK ORGANIZED UNDER THE LAWS OF THE UNITED STATES OR OF ANY JURISDICTION AND OPERATING UNDER SECTION 25 OF THE FEDERAL RESERVE ACT, AS AMENDED, 12 U.S.C. §§ 601 THROUGH 604A AND 12 U.S.C. §§ 611 THROUGH 632; OR

2. A BANK OR BANK HOLDING COMPANY ORGANIZED UNDER THE LAWS OF A FOREIGN COUNTRY THAT IS PRINCIPALLY ENGAGED IN BUSINESS OUTSIDE THE UNITED STATES AND WHICH EITHER HAS NO BANKING OFFICE IN THE UNITED STATES OR HAS ONE OR MORE BANKING OFFICES IN THE UNITED STATES THAT ARE ENGAGED ONLY IN BUSINESS ACTIVITIES PERMITTED A BANK OPERATING UNDER SECTION 25 OF THE FEDERAL RESERVE ACT, AS AMENDED, 12 U.S.C. §§ 601 THROUGH 604A AND 12 U.S.C. §§ 611 THROUGH 632; OR

(IV) AN INCREASE IN DEPOSITS IN BANK SUBSIDIARIES NOT WITHIN THE REGION OR, ON OR AFTER JULY 17, 1989, NOT WITHIN A JURISDICTION PERMITTING A MARYLAND BANK HOLDING COMPANY TO ACQUIRE A BANK OR A BANK HOLDING COMPANY IN THAT JURISDICTION ON A RECIPROCAL BASIS, IS NOT THE RESULT OF AN ACQUISITION OF A BANK OR BANK HOLDING COMPANY.

(C) (1) THE COMMISSIONER MAY ENFORCE THE PROVISIONS OF THIS SECTION THROUGH THE IMPOSITION OF PENALTIES UP TO \$500 PER DAY EACH DAY THE VIOLATION CONTINUES TO EXIST, THE ISSUANCE OF CEASE AND DESIST ORDERS UNDER § 5-808 OF THIS ARTICLE, AND ANY OTHER REMEDIES AS ARE PROVIDED BY LAW.

(2) IN DETERMINING THE AMOUNT OF FINANCIAL PENALTY TO BE IMPOSED, THE COMMISSIONER SHALL CONSIDER THE FOLLOWING:

(I) THE SERIOUSNESS OF THE VIOLATION;

(II) THE GOOD FAITH OF THE VIOLATOR;

(III) THE VIOLATOR'S HISTORY OF PREVIOUS VIOLATIONS;

(IV) THE DELETERIOUS EFFECT OF THE VIOLATION ON THE PUBLIC AND THE BANKING INDUSTRY; AND